# Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

#### **Part I: Measure Information**

| Bill Request #: 964   |
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| Bill #: HB 162 GA   |
| Bill Subject/Title: AN ACT relating to harassing communications   |
| Sponsor: Representative Adam A. Koenig  |
| Unit of Government:   X City X County X Urban-County   X Charter County X Consolidated Local X Government |
| Office(s) Impacted: law enforcement, jailer, county attorney  |
| Requirement: X Mandatory Optional   |
| Effect on Powers & Duties: X Modifies Existing Adds New Eliminates Existing                               |

### Part II: Purpose and Mechanics

The purpose of HB 162 is to make clear that 'electronic' communication constitutes harassing communication if done with an intent to intimidate, harass, annoy, or alarm another person, and in a manner which causes annoyance or alarm and serves no purpose of legitimate communication. The bill would amend KRS 525.080 to add "electronic" to a list of harassing communications which are punishable as a Class B misdemeanor.

### Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

## HB 162 would have nil to minimal fiscal impact on local governments.

Most jurisdictions already believe that *electronic* communication is a form of written communications subject to prosecution under the current law. Harassing communication is a Class B misdemeanor and violation results in issuance of a summons and not an arrest. For these reasons there should be little or no increase in costs to local jails for incarcerations, nor any increased fiscal impact on local law enforcement or prosecutors as a result of HB 162. If there were an increase in incarcerations as a result of HB 162, persons convicted of a misdemeanor are housed in one of Kentucky's 78 full service jails

or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

**Data Source(s):** <u>Kentucky County Attorneys' Association; LRC personnel</u>

**Preparer:** Mary Stephens **Reviewer:** JWN **Date:** 1/11/16